

Disclaimer

This document is the literal English translation of the decrees which were initially written and published in French.

It does not hold any legal value.

This translation was produced for ease of understanding of the legal framework in which Public Private Partnerships are operated in Cote d'Ivoire.

DECREE N° 2014-246 OF 08 MAY 2014 MODIFYING
DECREE N° 2012-1152 OF 19 DECEMBER 2012 ON
THE POWERS, ORGANISATION AND FUNCTIONING
OF THE PUBLIC-PRIVATE PARTNERSHIPS
INSTITUTIONAL STEERING FRAMEWORK

THE PRESIDENT OF THE REPUBLIC

Having regard to the Constitution,

In view of Decree N° 2012-243 of 13 March 2012 on the appointment of a Senior Minister and Ministers at the Presidency of the Republic,

In view of Decree N° 2012-1118 of 21 November 2012 on the appointment of the Prime Minister, Head of the Government,

In view of Decree N° 2012-1119 of 22 November 2012 on the appointment of the Members of the Government, as amended by Decrees N° 2013-505 of 25 July 2013, N° 2013-784, N° 2013-785, N° 2013-786 of 19 November 2013 and N° 2014-89 of 12 March 2014,

In view of Decree N° 2012-1152 of 19 December 2012 on the powers, organisation and functioning of the Public-Private Partnerships Institutional Steering Framework (PPP),

In view of Decree N° 2013-506 of 25 July 2013 assigning functions to the members of the Government, as amended by Decree N° 2013-802 of 21 November 2013.

DECREES

Article 1: Articles 3, 5, 7, 9, 11, 13, 14 and 15 of Decree No 2012-1152 of 19 December 2012 on the powers, organisation and functioning of the Public-Private Partnerships Institutional Steering Framework shall be amended as follows:

New Article 3: The PPP Institutional Steering Framework shall be under the authority of the President of the Republic.

The PPP Institutional Steering Framework includes:

- The PPP National Steering Committee, or CNP-PPP in abbreviated form,
- The PPP Executive Secretariat, or SE-PPP in abbreviated form,

- The PPP Support Unit, or CA-PPP in abbreviated form.

New Article 5: The CNP-PPP includes permanent and non-permanent members.

The permanent members are:

- The representative of the President of the Republic, Chair
- The representative of the Prime Minister, Vice-Chair
- The representative of the Minister of Planning and Development, Member
- The representative of the Minister of Economy and Finance, Member
- The representative of the Minister of Industry, Member
- The representative of the Minister of Budget, Member
- The Director General of Budget and Finance, Member
- The Director General of the National Technical Studies and Development Office, or BNETD in abbreviated form. Member
- The Director General of the Investment Promotion Centre of Côte d'Ivoire, CEPICI in abbreviated form, Member
- The Director of Public Procurement, Member.

The permanent members shall be appointed by Prime Ministerial Order.

The non-permanent members shall be the representatives of the line ministries initiating projects that are under review by the CNP-PPP and shall be expressly invited to take part in the work of the CNP-PPP. They shall not have any voting right.

New Article 7: The duties of member of the CNP-PPP shall not be remunerated. However, all the members of the CNP-PPP shall be entitled to the reimbursement of expenses associated with missions accomplished in the course of their duties, upon presentation of supporting documents of the expenses incurred. They shall also be entitled to allowances.

New Article 9: The SE-PPP shall be composed of personnel and experts appointed by Prime Ministerial Order.

The SE-PPP shall be run by an Executive Secretary and two Deputy Executive Secretaries appointed by Prime Ministerial Order on a proposal from the CNP-PPP.

New Article 11: The SE-PPP shall submit files to the CNP-PPP for review. These files shall be the subject of prior discussions between the SE-PPP and CA-PPP.

The review of the files by the CNP-PPP shall be done in the presence of the Contracting Authority and representatives of the SE-PPP and CA-PPP.

New Article 13: The CA-PPP shall be run by a Coordinator appointed by Prime Ministerial Order, on a proposal from the Chair of the CNP-PPP, and after advice from the CNP-PPP.

New Article 14: The members of the CNP-PPP, SE-PPP and CA-PPP, as well as any person taking part in the implementation of PPP projects, shall be subject to compliance with the rules of the Code of Deontology in public procurement and public service delegation contract.

New Article 15: The expenditure related to the functioning of the CNP-PPP, SE-PPP and CA-PPP shall be chargeable to the Presidency of the Republic.

The CNP-PPP, SE-PPP and CA-PPP shall be eligible for study funds assembled by the Government and the financial assistance from Development Partners for the execution of their missions.

Article 2: The aforementioned Article 12 of Decree N° 2012-1152 of 19 December 2012 shall be repealed.

Article 3: The Prime Minister, the Senior Minister, the Secretary General of the Presidency of the Republic and the Minister, Director of Cabinet of the President of the Republic shall, Each in his respective capacity, be responsible for the execution of this Decree, which shall be published in the Official Gazette of the Republic of Côte d'Ivoire.

Alassane OUATTARA

Certified true copy of the original
The General Secretary of the Government

(Illegible signature and Stamp)

Sansan KAMBILE
Magistrate